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HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

Letter dated 29 September 1994 from the Permanent Representative of Bulgaria to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a review of the situation of the Bulgarian minority in the Federal Republic of Yugoslavia (Serbia and Montenegro).

I would appreciate it if you would have the text of the present letter and its annex circulated as a document of the General Assembly, under agenda item 100 (c).

(Signed) Slavi Zh. PASHOVSKI
Ambassador
Permanent Representative

ANNEX

Situation of the Bulgarian minority in the Federal Republic of Yugoslavia

Historical background

The presence of a Bulgarian minority in the territory of Serbia is a result of the Peace Treaty of Neuilly, signed between the Entente and Bulgaria on 27 November 1919, by virtue of which, "for strategic reasons", lands belonging until then to Bulgaria and inhabited by a compact Bulgarian population were passed over to the Kingdom of Serbs, Croats and Slovenes (since 1928 the Kingdom of Yugoslavia). This territory included great parts of the Kula, Tsaribrod (Dimitrovgrad), Trn and Bosilegrad districts.

Although article 40 of the Treaty of Neuilly recognized the existence of "Bulgarians, subjects of the Kingdom of Serbs, Croats and Slovenes", the Serb authorities refused to recognize the Bulgarian nationality of the vast majority of the population in the area. They started repressions aimed at a forceful assimilation of the Bulgarian population, which appeared to them an attainable goal given the relative closeness of both languages and the sharing of the same religion. This was done in violation of the Treaty on the Protection of the Minorities, which was signed together with the Peace Treaty of Saint-Germain of 1919 between the Entente and the State of Serbs, Croats and Slovenes, whose successor was the Kingdom of Serbs, Croats and Slovenes and the Kingdom of Yugoslavia. By virtue of this treaty, the new lands were ceded to the State of Serbs, Croats and Slovenes provided that the rights of the minorities were guaranteed.

After the end of the Second World War, the Bulgarians in Yugoslavia were formally given minority status, teaching in Bulgarian was introduced and Bulgarian periodicals began to be published. In practice, however, since 1948 the Bulgarians have been deprived of the opportunity to exercise fully their minority rights, and in fact were discriminated against on an ethnic basis. The Bulgarian population was subjected to psychological and police oppression and was instilled with fear of expressing their affinity for Bulgaria and the Bulgarian cultural and historical traditions. During this period, a number of Bulgarians were sent into exile to the camps Goli Otok and Sveti Grgur, while dozens of others were shot "in an attempt to flee to Bulgaria".

The ways and means of exerting influence on the Bulgarian population changed with the gradual normalization of the Bulgarian-Yugoslav relations. The Yugoslav and Serb authorities intentionally hindered the economic development of the regions in Serbia inhabited by Bulgarians. These regions were among the least developed in the country, being mainly agricultural, with primitive farming, almost no industry, low standards of living because of the lack of necessary communications, electricity, etc. The low quality of life, the high rate of unemployment and the lack of opportunities for individual and professional improvement forced the local population to migrate to the central regions of Serbia, where it lost its identity in the great masses of Serb

population. The depopulation of the area, and especially of the villages, became a constant trend.

Denial of Bulgarian ethnic identity

The established complex system of measures aiming at the gradual transition of the Bulgarian population from passive subordination to active assimilation with the Serb nation led to a limited exercise of the constitutionally guaranteed rights of the Bulgarian minority. At present, a great number of individuals of Bulgarian origin do not dare to declare themselves as Bulgarian during official censuses. This is a result of psychological pressure, direct and indirect threats and a tolerated local administrative arbitrariness infringing on the personal interests of those actively expressing their Bulgarian identity.

As a result of these practices, over the last decades, despite the demographic growth of the Bulgarian population, the official censuses have shown that the number of those having dared to declare their Bulgarian ethnicity has dropped drastically. Official data show that 54,391 people declared themselves as belonging to the Bulgarian minority in 1961; 49,791 in 1971; 36,189 in 1981; and 26,922 in 1991. Because of considerable psychological pressure, a significant portion of the Bulgarians have no other choice but to call themselves "Yugoslavs". An eloquent example is the percentage of "Yugoslavs" in the ethnically Bulgarian municipality of Dimitrovgrad (22 per cent in 1991) which is the highest in the whole territory of the Republic of Serbia. Others declare themselves Bulgarians and their children Serbs, so as to provide the latter with conditions for social realization and equality. The maternity hospital in Dimitrovgrad has recently been closed down and some ethnic Bulgarian children born at the nearest available maternity hospital in Pirot have been recorded as Serbs in the birth entries. The Serb name system, which gives the male and female family names the same endings (unlike the Bulgarian tradition), is being used more and more frequently through administrative means with regard to those who declare themselves Bulgarians.

The territorial delocalization of the ethnic Bulgarian regions carried out since the 1950s is a manifestation and a means of administrative pressure, preventing the exercise of formally declared constitutional rights. Almost one third of the Bosilegrad and eight villages of the Dimitrovgrad municipalities were separated from the ethnic Bulgarian municipalities and annexed to the neighbouring ethnic Serb municipalities of Pirot and Surdulica. In this way, the Bulgarians in the ethnic Serb municipalities, being a minority of the local population, are deprived of the symbolic educational and cultural rights which had been formally granted to them while their villages still belonged to the territory of the ethnic Bulgarian municipalities. Besides, the systematic fragmentation of the ethnic Bulgarian municipalities into different constituencies does not provide opportunities for representatives of the minority from the opposition parties in the Serb parliament to be elected. As a result, the only acting Bulgarian member of parliament was elected with the votes of the ethnic Serb Pirot region.

Violations of the right to use the Bulgarian language

The Bulgarian language is excluded effectively from use in courts and in administrative and business practice, at variance with the situation of other national minorities in Serbia, although there exists a constitutional ordinance in this regard. It is also peculiar that the local authorities do not permit the use of Bulgarian national symbols, a right guaranteed by the existing legislation in the Federal Republic of Yugoslavia (Serbia and Montenegro) (arts. 11, 15 (2), 45 and 49 of the constitution). There are but a few bilingual inscriptions on the main streets in Dimitrovgrad and Bosilegrad. A change of the street names in Bosilegrad "in accordance with the Serb historical tradition" is under preparation. At the same time, the local authorities in Dimitrovgrad did not take the necessary steps to implement the decision of a referendum that supported the restoration of the town's old Bulgarian name of Tsaribrod.

Since the 1980s, teaching of the curriculum in the mother tongue has been abolished in pre-school establishments, as well as elementary and high schools (it has never existed at universities and post-graduate establishments), contrary to the provisions of articles 46 of the constitution of the Federal Republic of Yugoslavia (Serbia and Montenegro) and 32 (4) of the constitution of the Republic of Serbia. At the secondary schools in eastern Serbia (Dimitrovgrad and Bosilegrad) the Bulgarian language is being studied now only as an optional subject on a par with the foreign languages (English and Russian) for two periods a week, pursuant to an administrative act, while in Pirot and Surdulica it is not studied at all. In Banat (Vojvodina), the Bulgarian schools were closed down as early as the 1940s. Many ethnic Bulgarian pupils are noted in their school records as having Serbian as mother tongue. The results from the "open referenda" as to whether parents wish their children to enjoy their constitutional status are being used to reiterate the restriction of the minority's educational rights. It is indicative that the Bulgarian teachers are being offered extra pay if they do not teach in their mother tongue, under the pretext that Serbian is more difficult for them to teach in. A request of the Democratic Union of the Bulgarians in Yugoslavia for the opening of a Bulgarian bookstore in Bosilegrad has not been taken into account. Bulgarian language textbooks for the schools are not widely provided.

Violations of the right of the Bulgarian minority to enjoy its own culture

Some major cultural institutions of the Bulgarian minority have been done away with, and the establishment of new ones is being hindered. In 1951 the Bulgarian library in Dimitrovgrad was closed down and, with a few exceptions, its book stock was sent to the Republic of Macedonia. There is no Bulgarian theatrical life, with the exception of several plays performed over the last years (some of them being "translated" into markedly bad Bulgarian). The Hristo Botev amateur theatre in Dimitrovgrad, bearing the name of a Bulgarian national poet, was recently renamed into "Tsaribrod Theatre Workshop".

Violations of the right to profess and practise religion in the Bulgarian language

The Bulgarian churches and monasteries, apart from those declared Serbian, are in wretched condition, some of them being in ruins. There are cases of deliberately destroyed mural paintings and inscriptions in Bulgarian churches. The services in the insignificant number of functioning temples are held by Serbian priests in Serbian. Even the gravestones and the obituaries are written in Serbian only. Bulgarian historical monuments such as the Bulgarian war cemetery near Dimitrovgrad, the bone vault near Neshkovo, and others, are being demolished, or are left to ruin, in violation of article 11 of the constitution of the Federal Republic of Yugoslavia (Serbia and Montenegro).

Violations of the right to freedom of expression and to freedom to seek, receive and impart information

As early as the 1950s the newspaper Glas na Bulgarite (Voice of the Bulgarians) was suppressed. The weekly Bratstvo (Fraternity) for two years now has been coming out only occasionally owing to a lack of financial support on the behalf of the State-owned institutions that publish it. At the same time, local authorities often confiscate Bulgarian newspapers and other publications imported from Bulgaria. Mass media broadcasting in Bulgarian is controlled by the State, and its propaganda is in support of the policy of restricting the rights of the minority. The regional radio station of Nis broadcasts in Bulgarian for only 15 minutes daily, the Bulgarian programmes on the regional television of Nis last only 5 to 10 minutes a week and, moreover, they are broadcasted in markedly bad Bulgarian. Recently the cable television in Dimitrovgrad carrying channel 1 of Bulgarian National Television was done away with.

It is worth mentioning that, as the United Nations Commission on Human Rights Special Rapporteur Mr. Tadeusz Mazowiecki concluded in his sixth periodic report (S/1994/265, annex, paras. 124 and 125), public life and media in the Republic of Serbia are dominated by ethnic and religious hatred and extreme nationalist ideology. The State-controlled media have recently provided plenty of examples of anti-Bulgarian rhetoric. A climate encouraging acts of discrimination has thus been created, notwithstanding the existing legal base, which bans the rousing of national hatred (arts. 38 and 42 of the constitution of the Federal Republic of Yugoslavia (Serbia and Montenegro)).

Violations of the right of the ethnic Bulgarians to freedom of association

A constant pressure is exerted on the organization of ethnic Bulgarians, the Democratic Union of the Bulgarians in Yugoslavia. The Union was duly registered for the 1990 elections, but it was difficult for it to participate in them since it was not granted adequate access to the central mass media. The central press accused the Union of being a "separatist" organization and of having a "fascist orientation". The authorities levelled threats at members of the Union's governing body. The Union's representatives were not allowed to be members of the electoral commissions and there was a reinforced military presence in the pre-election period, while the authorities systematically laid hands on the Union's propaganda materials. In 1992, the members of the Union's

governing body working in the Bratstvo ("Fraternity") State publishing house were warned officially that they would be dismissed if they did not give up their posts in the Union.

Dismissals (Assen Mihailov, Director of the Centre of Culture in Bosilegrad, 1992; Pene Dimitrov, the only school inspector of Bulgarian language and literature in Bosilegrad, 1994; all ethnic Bulgarian members of the strike committee at a factory in Dimitrovgrad, 1993) and threats of dismissal (Radko Stoyanchev, a municipal officer in the same town), illegal police detention, house searches, illegal confiscation of property (Vasil Stanchev, a lawyer from Bosilegrad, 1992; the brothers Leon and Vasil Nakev, merchants from the same town, 1993), police brutality (Kiril Antov from Bosilegrad, severely beaten by police in 1992 in front of his house), arbitrary legal prosecution (Dr. Marko Shukarev from Dimitrovgrad; Velin Stoichkov from Bosilegrad; and Zdenka Todorova from Nis in 1994), personal warnings and other forms of harassment are systematically being applied with regard to activists of the Democratic Union of the Bulgarians in Yugoslavia and other Bulgarian intellectuals who publish materials and make statements before the Bulgarian mass media or have contacts with official representatives of Bulgaria. This is being done in violation of article 48 of the constitution of the Federal Republic of Yugoslavia (Serbia and Montenegro). Earlier this year, the local authorities in Bosilegrad took steps to bring about a ban on the activities of the Democratic Union of the Bulgarians in Yugoslavia.

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The Republic of Bulgaria has repeatedly stated that it has no territorial claims regarding any of its neighbours and no intention to interfere with their internal affairs. It is clearly in Bulgaria's national interest to develop friendly relations with a democratic, stable and prosperous neighbour. That is why the Government of Bulgaria is ready to cooperate constructively and in good faith with the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) for the resolution of the acute problems of the persons belonging to the Bulgarian minority in the Republic of Serbia. At the same time, noting that human rights situations are a matter of legitimate international concern, the Government of Bulgaria finds it appropriate to keep the international community and the relevant international human rights bodies informed on this matter.